G.R.S. IX—5]

Previous references. 1923-4. File No. 29-23

~~Gen~~ Gen 29-23 (Gen) Serial Nos. 3-4

(1-2)

Later references.

preserve

GENERAL AND REVENUE SECRETARIAT.

(11)

Serial Nos. 2

Part B for Jan 24

SUBJECT

Memorial of Khani Begum Jahagirdar of Sood Kottur village for the grant of certain mineral concessions

Jc 4864 of 19.1.24

To Mrs Khani Begum

states that Government see no reason to reconsider the orders already passed in the matter

G. R. S. III-2]

General and Revenue Secretariat. Genl File No. 29 of 1923.

Serial No.	
3.	Mrs Khani Begum, Bangalore Petition 9 14-12-23. Requests for reduction given a recent reduction of Govt orders 9 23-8-23. 1) Revenue Secretary. Please submit to Second Member. (Initd) A.R.B. 14-12 2) Second Member) (Initd) K.V.A. 15-12. (Initd) S.N.R. 15-12 3) Please submit with the connected papers and a note on the points raised in the petition. (Initd) K.R.S. 16-12 4) Urgent. (Initd) K.V.A. 17/12 (Initd) S.N.R 17-12. 5) The memorialist requests a reconsideration of the Govt orders rejecting her claims (1) to mineral rights in the Sod Kaltur Inam village (2) to a prospecting license for chrome or (3) to be reimbursed for the expenditure incurred by her in purchasing the rights of the ryots shareholders in the village in return for the surface rights which she will be prepared to transfer to Govt in case a license for chrome cannot be granted.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. Govt File No. 29 of 1923.

Serial No.	
Z. K	6) The first request for the restoration of mineral rights has been more than once rejected & the claim was time barred. Mr. Hyder Ali Khan (the husband of the petitioner) had also agreed that he would not press the claim for mineral rights of inamdar.
L	7) With regard to the grant of a licence for chrome the memorialist says that a prospective licence for that mineral was also given to inamdars Messrs Mohamed Kasimuddin Khan & Mohamed Khan in 1918 and that mining leases were given to Messrs Tata Iron & Steel co Ltd & Oakley Bowden & co in the same village. But the licence leases referred to were granted before the reservation of chrome ore in April 1920. As the mineral was then reserved the application for the renewal of the licence granted to the Inamdars referred to above as well as the application of the petitioner of 22-7-2 for a licence for chrome & magnesite were rejected by Govt.
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S.	
M	8) The petitioner claims an exemption from the operation of Govt order of 29-1-23 on the ground that he had reported to the Director in June 1922 &c. nearly five to seven months before the reservation of chrome by Govt & a satisfactory settlement of the proprietary disputes in the village was reached. But this point was only reported to Govt in Director's letter of 30-1-23 i.e. after the issue of Govt orders of 6-1-22 and 29-1-23
Para 5(6) of PDR	

NOTE—Contn. sheet.

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G. R. S. III-2]

General and Revenue Secretariat. Govt File No. 29 of 1923

Serial No.	
	9) The petitioner further states that it is practically impossible to extract magnesite only as it occurs in conjunction with chromite and also it will be disadvantageous to her if chromite is worked by Govt. or other agency in the same area. She also states that there will be difficulties in case chromite is proposed to be worked by Govt or others in connection with the acquisition of mam land. But there is sufficient provision in the Rules for acquiring lands in case the surface owner causes obstruction to carry on mining & prospecting operations vide Rule 57.
	Attd. 20-12-23.
	10 It will be seen that the petitioners here requests is grant of mineral rights, grant of a license to prospect and payment of Compensation or reimbursement of loss incurred by her in purchasing the rights of shareholders of the village, have been carefully considered & rejected. The same grounds are again put forward & a reconsideration requested. The main ground which was given consideration is in the favour is the alleged promise of Govt that unless the rights of shareholders were settled, no license would be granted but this has already been answered — In these circumstances the petn may Perhaps be rejected
	Rev Secy

NOTE—Contn. sheet.

G. R. S. III-2]

2450

General and Revenue Secretariat.

Genl File No. 29 of 1923.

Serial No.

11 The petitioner asks for a reconsideration of the decision of Govt refusing to give her a license for chrome.

12 She has already been given a license for magnesite over the same area. The only valid reason against the grant of the license is the fact that chrome in this area has been reserved but in spite of this, it may be pointed out that the Inamdars of this village formerly held a license & that its renewal was refused as there were disputes among them To obviate this objection, the petitioner has at considerable expense brought up the rights of the Inamdars

13 The petitioner appears to be entitled to some consideration this account—

229
8/1/24.

14 There are now no grounds now brought to notice which were not before for which the previous order was passed. In the circumstances I see no grounds to revise the order

15 The application may be considered of

NOTE—Contd sheet.

G. R. S. III-2

General and Revenue Secretariat. Genl File No. 29 of 1923.

Serial No.

Is there any change in the policy of Govt regarding the reservation of common grazing grounds which have been recently ordered to be reserved for forest.

18/1/24

18/1

Submitted with a draft.

AHB 18-1-24.

Issued

SM 18/1

4 To

Mrs Khair Begum.

No. 7, C 4867 of 19-1-24

With reference to her letter(s) dated that Govt see no reason to reconsider the orders already passed on 15/10/23

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NOTE—Contn. sheet.

Geol 29-25

GEN. & REV. SECRETARIAT
15 DEC 1923
INDUSTRIES & COMMERCE
BRANCH.

M.Ar... 2400

19 19
Section
File No.

To

A. R. Banerji, Esquire., M.A., C. S. I., C. I. E.,

Dewan of Mysore, B a n g a l o r e.

Rehutas: 145

(Presented by Mr Hyder Ali Khan)

The humble appeal of meherban Khani Begum Sahiba, Jaghirdar of Dodkattur Inam village, sister of the present Ruling chief of Savanur and wife of Mr. Hyder Ali Khan, Superintendent of Police, residing in Fort, Bangalore City, most respectfully sheweth:-

1. That this appeal is against the orders communicated to the memorialist by the Offg: Director of Geology in his letter No. 397 dated 5th September 1923, submitted herewith in original for perusal and Kind return. (enclosure to P 8)

The facts of the case are:-

2. That the memorialist approached the Government in July 1923 with a memorial praying for (a) the restoration of the right to minerals in her Jaghir village of Dodkattur and (b) the immediate grant of a license to her to prospect for chrome in the said village pending the settlement of the first question of the restoration of the right to minerals.

3. That the memorialist received an endorsement No. I.C. 972/ Geol. 76-22-6. dated 23rd August 1923 from the said officer refusing to allow her claim for mineral rights and also to grant the prospecting license applied for by her for chrome.

4. That the ground urged for the refusal of the mineral right is that the claim is put forward nearly 29 years after the expiry of the time allowed by law. The memorialist has clearly explained in para 6 of her previous memorial the several circumstances under which she is fairly entitled to an indulgent consideration in the matter and she prays that this question which

is one of general importance may kindly be reconsidered on braod lines and favourable orders issued at an early date.

5. That the question which the memorialist most urgently begs leave to appeal about is the immediate grant to her of the license applied for to prospect for chrome. The refusal to grant even the license is based upon Government Order No. I C. 4723-34/Geol. 47-22 M 8, dated 29th January 1923, which extends the reservation of chrome ore by Government throughout the State. A deeper consideration of the memorialist's case will show that the reservation by Government was never intended to apply to or at least affect the memorialist. In support of this statement the following facts are submitted for your gracious consideration:-

(a) A license to prospect for chrome in the Inam village of Dodkattur had been previously granted by Government to the J (Geol 23-17-7) Jaghirdars in 1918, but was not renewed owing to the proprietory disputes then existing among the Inamdars.

(b) There were also licenses granted in the same inam village before 1918, to other parties , Viz., (1) Messrs Tata Iron and Steel Co., Ltd., and (2) Messrs Oakley Bowden & Co., both of whom have not yet been able to arrange terms with the Jaghirdars in respect of the surface rights and consequently to work the blocks.

(c) Being anxious to work for chrome ore which has of late years fetching a good price in the market, the memorialist purchased at a considerable cost the shares of certain co-inamdars in view of the refusal of Government to renew the old license on account of the proprietory disputes and also S (Geol 49-20-2) submitted a formal application to the director of Geology in February 1920.

N (d) It was only at the end of April 1920, that the Government first reserved chrome ore in certain parts of the State in which the Inam village in question was also included. The memorialist's application having been one submitted in

February 1920, i.e. nearly three months before the reservation it was and is quite clear that the reservation should not have affected the memorialist - and on this being pointed out the Director of Geology had kindly recommended to Government the grant of the license to the memorialist. But at the same time two other co-inamdars whose shares had not been purchased till then by the memorialist applied to Government for a similar license and the Government therefore declined to grant a license to any one " in view of the proprietory disputes connected with the Inam village" (Vide copy of Director's letter No. 444 dated 19/20th September 1921). There is nothing to show that the Government refused the licenses on account of the subsequent reservation made in April 1920.

Flag of T U Jrol 10-21 Enclosure to P U P

(e) In view of the ~~xxxx~~ tone of the Director's letter which filled the memorialist with strong hopes of the grant of the license on the settlement of the proprietory disputes she purchased even the few remaining co-sharers at an enormous price of Rs. 35000 and is now the sole proprietoress of the village in question. She also submitted the original sale deeds to the Director of Geology, who, being fully satisfied in regard to her title to the village, again recommended in January 1923 the grant of the license even after the extension of the reservation of chrome ore throughout the State. This recommendation clearly indicates that as the application for the license was submitted by the memorialist as far back as February 1920 and the reservations ordered first in April 1920 and recently in January 1923 were both subsequent to the date of the said application, the Director was of the opinion that the reservation in either of these cases, could not and should not be applied to the memorialist's case.

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(f) That the Offg. Director of Geology informs the memorial in his letter No. 397 dated 5th September 1923, which is now appealed ~~xxxxxx~~ against, that Government are not prepared to exemp the memorialist from the operation of the reservation order of 29th January 1923, as no settlements of the proprietory disputes

Enclosure to P U P

was reported by the memorialist before the issue of that order and as the settlement reported is now disputed by some disconteted claimants who protest against the grant of the license to the memorialist. The memorialist begs therefore to submit for the gracious consideration of Government that the statement in the Director's letter that the settlement of the proprietory disputes was not reported before the issue of the order of the 29th January 1923 from which exemption is claimed is not correct and the real truth is that such a report was submitted as far back as the 24th June 1922, i.e. over 7 months before the issue of the order of the 29th January 1923. (Vide underlined portion of letter No. 784 dated 13th Nov. 1922 from the Director of Geology , submitted in original). With regard to the disputes and protests of certain discontented parties, it is needless to state that they are simply made wi with malice and that the memorialist is in possession of regular registered documents which have been inspected by the Director, who has reported his satisfaction as to the memorialists entire rights in the village. There are also the reports of the Sub Division Officer, Mysore, and the Deputy Commissioner in support of the memorialist's proprietory rights and the Government Advocate's opinion, obtained by Government, in the matter is also in favour of the memorialis Furthermore, the very fact that the Government have offered a license for magnesite clearly indicates that the Government have entertained no doubts in regard to the memorialist's proprietory rights. Thus it will be obvious that the disputes and protests made by other parties are merely vexatious.

6. That the refusal of Government to grant the license for ch has come to the memorialist as a bolt from the blue. She h- vested her all in purchasing the co-sharers of the village o to satisfy the Government of her absolute proprietorship for the purpose of getting the prospecting license and it would bring nothing but ruin to her if she should be unable to work for chrome

as she has for all these years been earnestly contemplating to do The memorialist is quite confident that the Government of His Highness the Maharaja would never allow a most loyal and respectable Mahomedan family like hers to suffer in such a way by quibbles made in the application of Government Orders relating to the reservation of chrome ore.

7. That even the reservation of the mineral by Government in the village in question is far likely to be of any benifit whatever to Government either in the near or the distant future in as much as there are several difficulties also which the Government have to combat against in connection with the acquisition of the Inam lands payment of compensation &c., ~~That the memorialist~~

8. That the memorialist also begs to urge for the benevolent consideration of Government the extreme impracticability if not impossibility of the block being worked for magnesite only, when it occurs in conjunction with chrome and also grave disadvantages of two different parties working in the same land for two different minerals viz. one for magnesite and another for chrome even in the event of the Government contemplating to work either themselves or through their agent for chrome ore in the distant future.

That in conclusion the memorialist most respectfully entreats your sympathy and gracious consideration of her position and respectability and the grant to her of the license to prospect for chrome which has been so unfairly refused on account of the reservations by Government which have been made long after her application and which cannot equitably or reasonably applied to her case.

The memorialist also begs to add that if the Government should still maintain that the reservation in respect of her Inam vil[illegible] is more advantageous to them than the grant of the license to she would (not) respectfully request that in return ~~that~~ for the surface rights which she will be prepared to transfer to Government she may at least be reimbursed with the actual amount of money (namely Rs. 35,000) spent by her up to date in purchasing

the rights of the co-sharers in the village in the hope of getting the license which the several communications from the Government led her to entertain.

She begs to remain,

Your most humble & obedient servant

Kham Begum.

Dated Bangalore

14th December 1923.

Dated Bangalore 19/20th September 1923.

No. 444

From

A. M. Sen, Esquire., F. G. S., &c.,

Director in charge, Mysore Geological Department.

To

Mrs. Khani Begum Saheba,

C/o Mr. Hyder Ali Khan,

Amildar, Bangalore Taluk,

Basawangudi, Bangalore.

Madam,

With reference to your petition, dated 23rd July 1921, urging claims for a prospecting license in the village of Dodkattur in preference to Mr. Mahomed Naziruddin Khan, I have the honour to inform you that, in view of the proprietory disputed connected with the inam village, the Government of His Highness the Maharaja of Mysore are not disposed to grant licenses in favour of any one at present.

I have the honour to be,

Madam,

Your most obedient servant,

Sd/- A.M. Sen,

Director in charge,

Mysore Geological Department.

" True Copy ".